

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAFIC SAADEH,

Plaintiff,

-v-

MICHAEL KAGAN, et al.,

Defendants.

20 Civ. 1945 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The jury today returned a verdict in this case, finding for plaintiff Rafic Saadeh on his claim under New York Debtor-Creditor Law (“DCL”) § 274, and for defendant Joshua Kagan on Mr. Saadeh’s claim under DCL § 273. As to damages, the jury found a total of \$57,929 in transfers qualifying as constructive fraudulent conveyances from Irving Kagan to Joshua Kagan. The jury also found that, in the period after these transfers and up to the point of Irving Kagan’s death, Joshua Kagan had transferred a net total of \$13,675 to Irving Kagan.

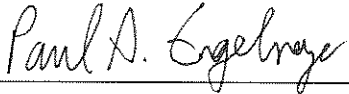
Following the jury’s verdict, the Court set the following schedule:

1. On the issue of whether there is a legal basis for the Court to subtract from the \$57,929 in constructive fraudulent conveyances Joshua Kagan’s \$13,675 in net transfers to Irving Kagan, the defense’s letter is due **November 30, 2023**, and the plaintiff’s response is due **December 7, 2023**.
2. Any motion challenging any aspect of the verdict is due **November 30, 2023**. Any opposition is due **December 7, 2023**.

3. On **November 30, 2023**, every party to this overall litigation—Mr. Saadeh; Joshua Kagan; and Michael Kagan—is to submit a separate letter, addressing (1) the status of the U.K. litigation initiated by Irving Kagan; (2) the status of proceedings in the Surrogate’s Court of New York County relating to Irving Kagan’s Estate, including but not limited to any determinations made by that Court as to the treatment of any funds received from the U.K. litigation and whether any such funds qualify as estate assets; and (3) whether the stay imposed by Judge Netburn with respect to certain proceeds of the U.K. litigation should remain, in whole or in part, or be modified.

For avoidance of doubt, the stay imposed by Judge Netburn with respect to proceeds of the U.K. litigation remains in force until further court order.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: November 16, 2023
New York, New York